



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Central Regional Office, 627 Main Street, Worcester, MA 01608

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Lieutenant Governor

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Secretary

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Commissioner

### FINAL AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("The Department") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

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**ISSUED TO[ "the Permittee"]:**

Milford Power  
Limited Partnership  
108 National Street  
Milford, MA 01757

**INFORMATION RELIED UPON:**

Application No. 108028  
Transmittal No. 108028

**FACILITY LOCATION:**

Milford Power  
Limited Partnership  
108 National Street  
Milford, MA 01757

**FACILITY IDENTIFYING NUMBERS:**

SSEIS ID: AQCR#120/PLT ID# 1504  
FMF FAC NO. 204932  
FMF RO NO. 194082

**NATURE OF BUSINESS:**

Electrical Power Generation

**STANDARD INDUSTRIAL CODE (SIC):**

4911

**RESPONSIBLE OFFICIAL:**

Name: Joseph Boisclair  
Title: Plant Manager

**FACILITY CONTACT PERSON:**

Name: Robert Maggiani  
Title: Manager, EHS Phone: (508) 876-8114

**This operating permit shall expire on *October 20, 2009*.**

For the Department of Environmental Protection,

This final document copy is being provided to you electronically by the  
Department of Environmental Protection. A signed copy of this document  
is on file at the DEP office listed on the letterhead.

Date: October 20, 2004

Martin Suuberg, Regional Director

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## SPECIAL CONDITIONS FOR OPERATING PERMIT

A legend to Abbreviated Terms found in the following Tables is located in Section 28 of the Operating Permit.

**1. PERMITTED ACTIVITIES**

In accordance with the provisions of 310 CMR 7.00: Appendix C and applicable rules and regulations, the Permittee is authorized to operate the air emission unit as shown in Table 1 and exempt, and insignificant activities as described in 310 CMR 7.00:Appendix C (5)(h) and (i). The unit described in Table 1 is subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this permit.

**DESCRIPTION OF FACILITY AND OPERATIONS**

The Permittee is named Milford Power Limited Partnership with a place of business located at 108 National Street, Milford, Massachusetts operating an electric power generating facility.

The power generating facility consists of a 106 MW natural gas fired combustion turbine generator, an unfired exhaust heat recovery steam generator, a 43 MW steam turbine, an induced draft cooling tower, a water treatment system and auxiliary equipment. The waste heat exhaust gases from the turbine generator is a source of heat for the conversion of the boiler feed-water to steam in the heat recovery steam generator. The steam is then directed to a steam generator to generate additional electricity. The steam is also used for the control of Nitrogen Oxides emissions (steam injection), feed-water de-aeration, and miscellaneous heating purposes. The combustion turbine energy capacity is 1,401,000,000 BTU per hour when operating at 100% capacity at 22° F.

The components of the heat recovery steam generator include high and intermediate pressure super-heaters, evaporators, economizers and associated equipment (SCR control equipment with ammonia injection and the exhaust stack).

The Permittee uses steam injection and selective catalytic reduction (SCR) to control the emissions of Nitrogen Oxides (NOx). Steam is injected into the turbine combustor at optimum ratio to lower the flame temperature and reduce the formation of NOx.

The emissions from the facility are released to the ambient air through a rectangular shape carbon steel stack, the top of which is 125 feet above ground level which provides for a maximum exit velocity of 53 feet per second at a temperature of approximately 271° F.

On December 9, 2002, the Permittee received a Draft Operating Permit (transmittal# 108028) for the electric generating plant. On January 13, 2004 the Permittee received the Proposed Operating Permit incorporating the definitions for startup and shutdown periods for the combustion turbine. The definitions are presented in Table 3A of this operating permit.

Table 1 lists the emission unit (EU) applicable to the operating permit. Table 2 describes equipment that is considered exempt activity and not named further in the operating permit. Tables 3, 4, 5 and 6 describe the applicable requirements that the EU is subject to in the operating permit. Table 7 describes the requirements currently not applicable to the facility. Table 8 describes special terms and conditions applicable to the Permittee.

## 2. **EMISSION UNIT IDENTIFICATION**

The following emission unit (Table 1) is subject to and regulated by this operating permit:

Table 1			
EMISSION UNIT (EU#)	DESCRIPTION OF EMISSION UNIT	EU DESIGN CAPACITY	POLLUTION CONTROL DEVICE (PCD)
EU #1	Combustion Turbine Generator	1401 MMBtu/hr @ 22°F	Steam Injection and Selective Catalytic Reduction (SCR)

## 3. **IDENTIFICATION OF EXEMPT ACTIVITIES**

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

Table 2	
Description of Current Exempt Activities	Reason
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the Department's Regional Office.	310 CMR 7.00:Appendix C(5)(h)

## 4. **APPLICABLE REQUIREMENTS**

### A. **EMISSION LIMITS AND RESTRICTIONS**

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

Table 3
---------

EU #	Fuel	Pollutant	Emission Limit/Standard <sup>1</sup>	Applicable Regulation and/or (Approval No.)	Restrictions
EU #1	Natural Gas	PM	0.0054 lb/MMBtu	7.02 plan approval #C-B-91-003/Transmittal # 1989	<p>1. The primary fuel shall be natural gas. The turbine shall not fire more than 1,401,000 cubic feet per hour.</p> <p>2. There shall be no standby fuel oil for electrical generation.</p>
		SO <sub>2</sub>	0.0015 lb/MMBtu 0.30 PPM @ 15% O <sub>2</sub>	7.02 plan approval #C-B-91-003/Transmittal # 1989/40 CFR Part 60 Subpart GG/310 CMR 7.22  EPA approval letter dated June 6, 1996 re: sulfur and nitrogen in fuel.	
		NO <sub>x</sub>	0.0328 lb/MMBtu 9 PPM @ 15% O <sub>2</sub> 45.95 lb/hr	7.02 approval letter #C-B-91-003/Transmittal # 1989/ 310 CMR 7.19/ 40 CFR Part 60 Subpart GG  EPA approval letter dated June 6, 1996 re: sulfur and nitrogen in fuel.	
		CO	0.1345 lb/MMBtu 50 PPM @ 15% O <sub>2</sub> 188.43 lb/hr	7.02 plan approval # C-B-91-003/Transmittal # 1989/CMR 310 7.19(7)	
		VOC	0.0281 lb/MMBtu 18 PPM @ 15% O <sub>2</sub> 39.37 lb/hr	7.02 plan approval # C-B-91-003/Transmittal # 1989/CMR 310 7.19(7)	
		NH <sub>3</sub>	0.0137 lb/MMBtu 10 PPM @ 15% O <sub>2</sub> 19.19 lb/hr	7.02 plan approval # C-B-91-003/Transmittal # 1989/CMR 310 7.19(7)	
		NO <sub>x</sub>	See <u>SPECIAL TERM AND CONDITIONS</u> , Table 8  See <u>SPECIAL TERM AND CONDITIONS</u> , Table 8	310 CMR 7.27  310 CMR 7.28	
		Visible Emissions	Opacity – Exclusive of uncombined water shall not exceed 10% at all times, during all modes of operation, including startups and shutdowns of the combustion turbine generator.	310 CMR 7.06(1)(b)	

<sup>1</sup>The short-term emission limits above are based upon a one-hour block average unless otherwise specified. The above emission limits do not apply during startup and shutdown.

Table 3A		
Startup/Shutdown Emission Limits for EU#1		
<u>DEFINITONS OF STARTUP AND SHUTDOWN</u>		
Startup- Startup is defined as the time to achieve steady-state operation. Startup shall not exceed 3-hour duration.		
Shutdown- Shutdown is defined at the time from steady-state operation when operating on natural gas to “no flame”. Shutdown shall not exceed 1-hour duration.		
Should any startup or shutdown be extended beyond the timelines allotted, the Permittee shall report the extension and reasons for said extension as a deviation in operations and in accordance with the reporting requirements of Section 25 of the Approval.		
The emission limits for EU #1 for startup and shutdown and total tons per 12 month rolling total are presented in the table below.		
Pollutant	Startup	Shutdown
Nitrogen Oxides	460 lb/3 hour average	70 lb/1 hour average
Carbon Monoxide	85 lb/3 hour average	500 lb/1 hour average
Ammonia	40lb/3 hour average	30 lb/1 hour average
Opacity	Opacity – Exclusive of uncombined water shall not exceed 10% at all times, during all modes of operation, including startups and shutdowns of the combustion turbine generator.	
Annual Emissions- 12 Month rolling total (Tons Per Year)		
Particulate Matter	18.0 tons per year	
Sulfur Dioxide	9.0 tons per year	
Nitrogen Oxides	190.0 tons per year	
Carbon Monoxide	241.0 tons per year	
Volatile Organic Compounds	53.0 tons per year	
Ammonia	80.0 tons per year	

## **B. COMPLIANCE DEMONSTRATION**

The Permittee is subject to the monitoring/testing, record-keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00: Appendix C (9) and (10) and “Applicable Requirements” contained in Table 3 and a requirement of the plan approval letter (#C-B-91-003/Transmittal #1989) dated October 16, 1991.

Table 4	
EU #	MONITORING/TESTING REQUIREMENTS
EU #1	<p>In accordance with the provisions of the Final 7.02 Air Quality Plan Approval #C-B-91-003/Transmittal #1989 the Permittee is subject to the terms and conditions presented in Table 4 and to other terms and conditions referenced herein.</p> <ol style="list-style-type: none"> <li>Monitoring Devices - The Permittee shall maintain the following continuous emission monitors (CEM's) in an accurate operating condition to monitor continuously the following parameters in accordance with the Plan Approval #C-B-91-003/Transmittal #1989, 310 CMR 7.00 Appendix C (9)(c), 310 CMR 7.19 and the June 6, 1996 EPA approval letter. The CEM's (except NH<sub>3</sub>) shall comply with 40 CFR 60 Appendix B (Performance Specifications), and 40 CFR Part 60 Appendix F (Quality Control Procedures). The CEM's shall be certified, calibrated, tested and maintained in accordance with manufacturers, MADEP, and Federal U.S. EPA requirements. <ol style="list-style-type: none"> <li>Oxygen (O<sub>2</sub>)</li> <li>Oxides of Nitrogen (NO<sub>x</sub>)</li> <li>Carbon Monoxide (CO)</li> <li>Ammonia (NH<sub>3</sub>)</li> </ol> </li> <li>Compliance with the NO<sub>x</sub> emission limit shall be demonstrated with a NO<sub>x</sub> Continuous Emission Monitor Analyzer as required by Plan Approval #C-B-91-003/Transmittal #1989.</li> <li>The Permittee shall develop and maintain a custom schedule to monitor the sulfur content of natural gas in accordance with 40 CFR Part 60 Subpart GG. A written communication dated June 6, 1996 from the Federal EPA approves the custom fuel schedule. The letter states that the monitoring of fuel nitrogen content shall not be required while natural gas is the only fuel being utilized. The letter states that the fuel-sulfur sampling schedule culminating in semi-annual determinations shall be adhered to, provided that no analysis results indicate failure to comply with 40 CFR Part 60 Subpart GG.</li> <li>Recording Devices - The Permittee shall maintain the following recording devices in an accurate operating condition in accordance with Plan Approval #C-B-91-003/Transmittal 1989. <ol style="list-style-type: none"> <li>Total fuel consumption (ft<sup>3</sup>/day)</li> <li>Total steam flow (lb/hr) production</li> <li>Total hours of operation on natural gas</li> </ol> </li> <li>Compliance with the allowable opacity limits shall be determined in accordance with EPA Method 9, as specified in 40 CFR Part 60, Appendix A and in accordance with 310 CMR 7.00 Appendix C (9)(b).</li> </ol>

Table 4 continued	
EU #	MONITORING/TESTING REQUIREMENTS
EU #1	<p>6. Testing Requirements - In accordance with 310 CMR 7.04(4)(a), each fuel utilization facility shall be inspected and maintained in accordance with the manufacturer's recommendations and tested for efficient operation at least once in each calendar year. The results of said inspection, maintenance and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near the permitted area.</p> <p>7. Emission testing to demonstrate compliance with emission limits specified in Table 3 shall be in accordance with EPA approved reference test methods unless otherwise approved by EPA and the Department or unless otherwise specified and shall include test Methods 1 through 4, for Particulate Matter (Method 5), Sulfur Dioxide (Method 6C), Nitrogen Oxides (Method 7E), Carbon Monoxide (Method 10), Gaseous Organic Compounds (Method 18) and Total Gaseous Organic Concentration (Method 25A). Compliance testing to determine ammonia emissions shall be performed with a method approved by the Department.</p> <p>8. In accordance with 310 CMR 7.13, the Department may require testing for any pollutants if deemed necessary to ascertain the mass emission rates and relationship to equipment design and operation. The Permittee shall conduct stack testing when Department has determined that such stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisions. Such stack testing shall be:</p> <ul style="list-style-type: none"> <li>a. conducted by a person knowledgeable in stack testing, and</li> <li>b. conducted in accordance with procedures contained in a test protocol which has been approved by the Department, and</li> <li>c. in the presence of a representative of the Department when such is deemed necessary in accordance with 310 CMR 7.13(1).</li> </ul> <p>9. In accordance with 310 CMR 7.19(13)(b), the facility must obtain valid data for a least 75% of the hours per day, 75% of the days per month and 90% of the hours per quarter during which the emission unit is operating.</p> <p>10. Monitoring to demonstrate compliance with the NOx Budget program shall comply with 310 CMR 7.27(11)(f-n).</p> <p>11. In accordance with 310 CMR 7.28(11)(a)(1), any person who owns, leases, operates or controls a budget unit that commences operation before January 1, 2002 shall install, operate and successfully complete all applicable certification testing requirements for monitoring heat input, NOx emission rate and NOx mass emissions pursuant to the requirements of 40 CFR Part 75 Subpart H by May 1, 2002.</p> <p>12. In accordance with 310 CMR 7.28(11)(a)(4), all monitoring systems are subject to initial performance testing and periodic calibration, accuracy testing and quality assurance/quality control testing as specified in 40 CFR Part 75 Subpart H.</p>



Table 4 continued	
EU #	MONITORING/TESTING REQUIREMENTS
EU #1	<p>13. As required by 310 CMR 7.28(11)(a)(5), during a period when valid data is not being recorded by a monitoring system approved under 310 CMR 7.28, the missing or invalid data must be replaced with default data in accordance with the provisions of 40 CFR Part 75.70(f). The applicable missing data procedures are specified in 40 CFR Part 75 for NO<sub>x</sub> emission rate (in lb/MMBtu), heat input, stack gas volumetric flow rate, GCV or fuel flow rate.</p> <p>14. In accordance with 310 CMR 7.28(11)(a)(6), NO<sub>x</sub> emissions data must be reported to the NO<sub>x</sub> Emissions Tracking System (NETS) in accordance with 310 CMR 7.28(13).</p> <p>15. In accordance with 310 CMR 7.28(11)(a)(7), budget units must report data pursuant to the requirements of 310 CMR 7.28(11) for every hour.</p> <p>16. In accordance with 310 CMR 7.28(11)(b), any person who owns, leases, operates or controls a budget unit subject to 310 CMR 7.28 must comply with the notification requirements in 40 CFR 75.61, where applicable.</p>
Facility Wide	<p>17. The Permittee shall monitor the operations of the entire facility such that necessary information is available for the preparation of the annual Source Registration/Emission Statement Forms as required by 310 CMR 7.12.</p>

Table 5	
EU #	RECORDKEEPING REQUIREMENTS
EU #1	<p>In accordance with the provisions of the Final 7.02 Air Quality Plan Approval #C-B-91-003/Transmittal # 1989 the Permittee is subject to the terms and conditions presented in Table 5 and to other terms and conditions referenced herein.</p> <p>1. The Permittee shall maintain on site the following records for five (5) years from the date of generation and have the records readily available to the Department and EPA personnel in accordance with 40 CFR Part 60, 310 CMR 7.19(13)(d) and #C-B-91-003/Transmittal #1989:</p> <ul style="list-style-type: none"> <li>a. all CEM data in block hourly intervals,</li> <li>b. operating and maintenance log books, that must contain the following information by day: <ul style="list-style-type: none"> <li>i) date and hours of operation, date and time of startups and shutdowns, date and hours of operation of SCR system and CEM's,</li> <li>ii) date, time and specifications of maintenance performed on the turbine, SCR system and CEM's,</li> </ul> </li> <li>c. name of company delivering the ammonia including at a minimum, date of delivery, amount of ammonia (gallons), and truck identification number,</li> </ul>

Table 5 continued	
EU #	RECORDKEEPING REQUIREMENTS
EU #1	<ol style="list-style-type: none"> <li>d. name of company delivering the ammonia including at a minimum, date of delivery, amount of ammonia (gallons), and truck identification number,</li> <li>e. calibration of all monitoring devices, date, time, and who performed the calibrations,</li> <li>f. combustion equipment, emission control or monitoring device malfunctions, (i.e., any piece of equipment or device breakdown that causes an excess emission or instrument downtime) time and date of malfunction, description of event, time and date of corrective action taken, description of said action, and date reported to DEP.</li> </ol> <ol style="list-style-type: none"> <li>2. Inspection, maintenance, and testing results of the emission unit and the date upon which it was performed in accordance with 310 CMR 7.04(4)(a).</li> <li>3. Records of emissions testing conducted to demonstrate compliance with the applicable requirements in Table 3 shall be in accordance with 310 CMR 7.13(1)(d).</li> <li>4. The Permittee shall maintain records of the sulfur and nitrogen content as a requirement of 40 CFR Part 60 Subpart GG, the EPA approval letter dated June 6, 1996 and Appendix C (10)(b) for a period of five (5) years from the date of generation.</li> <li>5. In accordance with 310 CMR 7.27(12), all measurement, data, reports and other information required by 310 CMR 7.27 shall be kept for five years from the date of generation.</li> <li>6. Must comply with all applicable record-keeping requirements contained in 40 CFR Part 60, 40 CFR Part 72, 40 CFR Part 75, and 310 CMR 7.28.</li> <li>7. In accordance with 310 CMR 7.28(8)(e), information on the Authorized Account Representative (AAR) Form must be kept current.</li> <li>8. As required by 310 CMR 7.28(12), any person who owns, leases, operates or controls a budget unit must keep all measurements, data, reports and other information required by 310 CMR 7.28 for five years, or any other period consistent with the budget unit's operating permit.</li> <li>9. In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain records of all monitoring data and supporting information on site for a period of least five (5) years from the date of the monitoring sample, measurement, report or initial operating permit application.</li> </ol>
Facility Wide	<ol style="list-style-type: none"> <li>10. The Permittee shall maintain sufficient records of its operations and monitoring information for the preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.</li> </ol>

Table 6	
EU #	REPORTING REQUIREMENTS
EU #1	<p>In accordance with the provisions of the Final 7.02 Air Quality Plan Approval #C-B-91-003/Transmittal #1989 the Permittee is subject to the terms and conditions presented in Table 6 and to other terms and conditions referenced herein.</p> <ol style="list-style-type: none"> <li>1. The Permittee shall report to the Department of Environmental Protection, on a quarterly basis, a summary of all continuous monitoring data for Nitrogen Oxides (NO<sub>x</sub>), Ammonia (NH<sub>3</sub>) and Carbon Monoxide (CO), with related supporting information. All excursions from allowable emission levels or operating conditions shall be identified (an explanation of any excursions shall be included) as a requirement of Plan Approval #C-B-91-003/Transmittal #1989 and 40 CFR Part 60 and 310 CMR 7.19(d).</li> <li>2. In accordance with the Plan Approval #C-B-91-003/Transmittal #1989, the CEM data for NO<sub>x</sub>, NH<sub>3</sub>, and CO shall be reported in pounds per million BTU (lb/MMBtu), Parts Per Million (PPM) and pounds per hour (lb/hr). Reports are due by January 30, April 30, July 30, and October 30 of each year.</li> <li>3. The Permittee shall notify the Department of Environmental Protection, Central Regional Office, Bureau of Waste Prevention, Compliance and Enforcement Section within 4 hours (or as soon as reasonably practical) after the occurrence of any upsets or any malfunctions (i.e., any piece of equipment or device breakdown that causes an excess emission or instrument downtime) to air pollution control equipment or monitoring equipment and in writing within three (3) days of discovery such event. The written report will include a description of what happened and what steps have been taken to prevent similar events in the future.</li> <li>4. The Permittee shall summarize and submit to the Department the results of stack testing as prescribed in the Department's approved pretest protocol, stack testing that was determined by the Department to be necessary to ascertain compliance with the Department's regulations or design approval provisions in accordance with 310 CMR 7.13(1) and 310 CMR 7.13(2).</li> <li>5. Upon the Department's request, any records required by the applicable requirements identified in Section 4 of the operating permit, or the emissions of any air contaminant from the facility, shall be submitted to the Department within 30 days of the request by the Department, or within a longer time period if approved in writing by the Department. Said response shall be transmitted on paper, on computer disk, or electronically at the discretion of the Department, pursuant to 310 CMR 7.00 Appendix C (10)(a) incorporated herein by reference.</li> <li>6. In accordance with 310 CMR 7.27(13)(a) 1, 310 CMR 7.27(13)(b) and 310 CMR 7.27(13)(c) shall submit to the USEPA Acid Rain Division all NO<sub>x</sub> emissions and operating information for each calendar quarter of each year in accordance with the standards specified in 40 CFR Part 75 Subpart G. The submission must be in an electronic format that meets the requirements of EPA's Electronic Data Reporting (EDR) convention. Quarterly reports must contain, NO<sub>x</sub> emissions in pounds per hour for every hour, and cumulative quarterly and seasonal NO<sub>x</sub> emissions data in pounds, in a format consistent with the EDR convention.</li> <li>7. Comply with all applicable reporting requirements contained in 40 CFR Part 60, 40 CFR Part 72, 40 CFR Part 75, and 310 CMR 7.28.</li> </ol>

Table 6 continued	
EU #	REPORTING REQUIREMENTS
EU #1	<p>8. As required by 310 CMR 7.28(13)(a)(1), for units commencing operation prior to 5/1/02, the AAR must submit quarterly reports for each calendar quarter beginning with: the earlier of the calendar quarter that includes the date of initial certification or, if the certification tests are not completed by 5/1/02, the partial calendar quarter from 5/1/02 through 6/30/02. Data shall be recorded and reported from the earlier of the date and hour corresponding to the date and hour of certification or the first hour on 5/1/02.</p> <p>9. In accordance with 310 CMR 7.28(13)(b), the AAR for each budget unit using CEMS must submit to the Administrator all emissions and operating information for each calendar quarter of each year in accordance with the standards specified in 40 CFR Part 75 Subpart H and 40 CFR Part 75.64.</p> <p>10. In accordance with 310 CMR 7.28(13)(c)(1), for units subject to an Acid Rain Emissions limitation, quarterly reports shall include all of the data and information required in 40 CFR Part 75 Subpart H for each NO<sub>x</sub> Budget unit (or group of units using a common stack) as well as information required in 40 CFR Part 75 Subpart G.</p> <p>11 In accordance with 310 CMR 7.28(13)(c)(2), for units not subject to an Acid Rain Emissions limitation, quarterly reports are only required to include all of the data and information required in 40 CFR Part 75 Subpart H for each NO<sub>x</sub> Budget unit (or group of units using a common stack).</p> <p>12. In accordance with the requirements of 310 CMR 7.28(13), NO<sub>x</sub> emissions data must be reported pursuant to the requirements of 310 CMR 7.28(11)(a)(6), (a)(7) and (b).</p> <p>13. NO<sub>x</sub> emissions data should be reported directly to EPA's National Computer Center mainframe computer in a method acceptable to EPA. The deadline to submit data to EPA is 30 days after the end of each calendar quarter.</p> <p>14. In accordance with 310 CMR 7.28(13)(e), by October 15 of each year, any person who owns, leases, operates or controls a new or existing budget unit must report to the Department each facility's metered net electric and useful steam output for that year's control period. Net electric output must be reported in megawatt-hours, and steam output in MMBtu. If data for steam output is not available, the person may report heat input providing useful steam output as a surrogate for steam output. (See special condition #4).</p> <p>15. In accordance with 310 CMR 7.28(15), for each control period, the AAR for the budget unit shall submit by November 30 of each year, an annual compliance certification report to the Department and the NATS Administrator. The compliance certification shall contain, at a minimum, the items listed in 310 CMR 7.28(15)(c)1 through 8.</p> <p>16. Notification of QA testing is required for Relative Accuracy Test Audits (RATAs) and AppendixE/LME (Low Mass Emission) unit tests. Notification must be made at least 21days prior to the scheduled test date to the EPA as required by 40 CFR 75.61, to the DEP Lawrence office at DEP, Wall Experiment Station, 37 Shattuck Street, Lawrence, MA 01843-1398 Attn: Source Monitoring Section, and to the DEP Regional office, Attn: BWP Permit Chief. If tests must be rescheduled, 24 hours notice must be given, as specified in 40 CFR 75.61(a)(5).</p>

Table 6 continued	
EU #	REPORTING REQUIREMENTS
EU #1	<p>17. A previously approved RATA protocol may be referenced at the time of test notification provided that the referenced protocol was completed in accordance with current 40 CFR Part 75 procedures, addresses all previous DEP protocol comments to the satisfaction of the DEP, and none of the information has changed. If a revised protocol must be submitted, it must be submitted at least 21 days prior to the scheduled test date.</p> <p>18. A hardcopy of the QA RATA or Appendix E/LME test results must be submitted to both the DEP Lawrence and DEP Regional offices within 45 days of completion of tests. The electronic results must be submitted in the quarterly electronic data report (EDR). In lieu of submitting the full test reports to DEP Regional office, the data assessment summary reports required by 40 CFR 60 Appendix F Procedure 1 Section must be submitted to DEP Regional office within 45 days of completion of tests. The electronic results must be submitted in the quarterly electronic data report (EDR).</p> <p>19. Results from QA daily Calibrations, quarterly Linearity checks and Appendix D Fuel Flowmeter tests must be reported electronically in the EDR submittal for the quarter in which the testing occurs.</p> <p>20. The Permittee shall submit a Source Registration/Emission Statement form to the Department on an annual basis required by 310 CMR 7.12(2).</p> <p>21. In accordance with 310 CMR 7.12(3), the facility shall register on a form obtained from the Department such information as the Department may specify including a description of the facility, including a description of process and combustion equipment, a description of facility operating hours and operating schedule, a description of all raw materials and fuels used at the facility and information required by 310 CMR 7.12(3) shall be submitted pursuant to 310 CMR 7.12(2).</p> <p>22. All required reports must be certified by a responsible official of the Permittee as provided in 310 CMR 7.00; Appendix C (10)(h).</p>

### **C. GENERAL APPLICABLE REQUIREMENTS**

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

### **D. REQUIREMENTS NOT CURRENTLY APPLICABLE**

The Permittee is currently not subject to the following requirements, and specifically requested that the following regulations be inserted into Table 7 below.

Table 7	
REGULATION	DESCRIPTION
310 CMR Sec. 7.16	Reduction of Single Occupant Commuter Vehicle Use
40 CFR Part 53	Ambient Air Monitoring Reference and Equivalent Methods

Table 7 continued	
REGULATION	DESCRIPTION
40 CFR Part 54	Prior Notice of Citizen Suits
40 CFR Part 65	Delayed Compliance Orders
40 CFR Part 67	EPA Approval of State Noncompliance Penalty Program
40 CFR Part 69	Special Exemptions from Requirements of the Clean Air Act
40 CFR Part 72	Permits Regulation
40 CFR Part 73	Sulfur Dioxide Allowance System
40 CFR Part 75	Continuous Emission Monitoring*
40 CFR Part 77	Excess Emissions
40 CFR Part 78	Appeal Procedures for Acid Rain Program
40 CFR Part 81	Designation of Areas for Air Quality Planning Purposes

\*The Permittee is subject to 40 CFR Part 75, Subpart H of the Acid Rain Program

## 5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to the following special terms and conditions in accordance with Plan Approval #C-B-91-003/Transmittal #1989; 310 CMR 7.27 and 310 CMR 7.28 and other special terms and conditions deemed necessary by the Department.

Table 8
SPECIAL TERMS AND CONDITIONS
<p>A. Carbon Monoxide and Volatile Organic Compounds shall be controlled by the combustion turbine design and the maintaining of proper combustion operations at all times.</p> <p>B. The spent SCR shall be disposed of in accordance with DEP Solid Waste Regulations. The metal housing for the SCR shall be recycled.</p> <p>C. The installation and operation of a by-pass duct/exhaust stack for the combustion turbine exhaust gases is prohibited.</p>

Table 8 continued  
SPECIAL TERMS AND CONDITIONS

D. The Permittee will visually evaluate the catalyst annually and if necessary clean it. An annual report shall be submitted to the Department describing the evaluation and any needed maintenance.

E. The Permittee is in compliance with the requirements of 40 CFR 82: Protection of Stratospheric Ozone (Federal Requirement Only).

310 CMR 7.27

A. Emission Unit #1 is subject to the requirements of NOx Allowance Program, 310 CMR 7.27. The Department issued a Phase I Emission Control Plan (ECP) for this facility on December 17, 1997. The NOx ECP Phase II and Phase III were approved on September 22, 1998 and January 16, 2002 respectively.

B. As per 310 CMR 7.27(6), the Authorized Account Representative (AAR) may buy, sell, trade, or transfer allowances for or between NOx Allowance Tracking Systems (NATS) compliance accounts at any time, up until December 31st of the corresponding ozone season.

C. By December 31st of each year, the AAR must hold in the NOx NATS compliance account for each EU at least one allowance for each ton of NOx emitted during the corresponding ozone season (May 1st through September 30th). The number of allowances actually held in a NATS compliance account for an affected EU may differ from the number allocated by the Department.

D. Emission Unit #1 is classified as "Full Allocation Units" as per 310 CMR 7.27(6). Full Allocation Unit allocations are listed in 310 CMR 7.27(6) Table 1. The unit allowance allocations for Milford Power Limited Partnership are identified below:

YEAR				
EU#	1999	2000	2001	2002
#1	85	85	85	85

E. By May 1, 2003, the NOx allowance allocation for each NATS compliance account will be amended according to the new State allowance cap.

Table 8 continued

SPECIAL TERMS AND CONDITIONS

F. As per 310 CMR 7.27(8)(c), NO<sub>x</sub> Allowance transfers must occur as follows:

G. The transfer request must be on a form, or electronic media in a format determined by the NO<sub>x</sub> Allowance Tracking System.

H. Requests must be submitted to the EPA and include at a minimum: the account numbers identifying both the originating account and the acquiring account; and, the names and addresses associated with the owners of the originating account and the acquiring account; and the serial number for each allowance being transferred. The transfer request must be authorized and certified by the Authorized Account Representative for the originating account. To be considered correctly submitted, the request must include the statement of certification contained in 310 CMR 7.27(8)(c) 2 verbatim.

I. As per 310 CMR 7.27(8)(i), any budget unit must make available to the Department, upon request, information regarding transaction cost and allowance price.

J. As per 310 CMR 7.27(14)(b), each year during the period November 1st through December 31st, inclusive, the Authorized Account Representative for each budget unit must request the NATS Administrator to deduct current year allowances from the compliance account equivalent to the NO<sub>x</sub> emissions from the budget unit in the current control period. The request must be submitted by the AAR to the NATS Administrator no later than December 31st. The request must identify the compliance account from which the deductions should be made, and if desired the serial numbers of the allowances to be deducted.

K. As per 310 CMR 7.27(15), for each control period the Authorized Account Representative for the budget unit must submit by December 31st of each year, an annual compliance certification. The Compliance Certification shall contain, at a minimum the items listed in 310 CMR 7.27(15)(c) 1 through 6.

310 CMR 7.28

State NO<sub>x</sub> Allowance Trading Program, 310 CMR 7.28

A. EU #1 is subject to the requirements of NO<sub>x</sub> Allowance Program, 310 CMR 7.28. The Department issued a Phase I and II combined Emission Control Plan (ECP) approval (TR#W024285), for this facility on May 28, 2002.

B. NO<sub>x</sub> Allowance use and transfer must comply with 310 CMR 7.28(10).

C. In accordance with 310 CMR 7.28(14), each year by November 30, for each budget unit, the total number of banked or current year allowances in its compliance or overdraft account must equal or exceed the NO<sub>x</sub> emissions from the budget unit in the current control period.

D. Each budget unit shall meter electric and/or steam output in accordance with the approved monitoring methodology contained in Table II and Table III of the ECP Approval (TR#W024285).



Table 8 continued

**SPECIAL TERMS AND CONDITIONS**

**Electric Output Meters**

A. In the case where billing meters are used to determine output, no QA/QC activities beyond those already performed are required. To qualify as a billing meter, the measurement device must be used to measure electric or thermal output for commercial billing under a contract. The facility selling the electric or thermal output must have different owners from the owners of the party purchasing the electric or thermal output. Any electric or thermal output values that the facility reports must be the same as the values used in billing for the output

B. In the case where non-billing meters are used to determine output, if the facility decides to adopt a system approach to accuracy then a system accuracy of 10.0% must be achieved. If testing an output measurement system shows that the output readings are not accurate to 10.0% or less, then the measurement equipment must be retested or replaced, and meet that requirement. If the facility decides to adopt a component approach to accuracy, then a component accuracy of 3.0% must be achieved. If testing a piece of output measurement equipment shows that the output readings are not accurate to 3.0% or less of the full scale, then the measurement equipment must be retested or replaced, and meet that requirement. When a non-billing system fails to meet the 10% or 3% requirement, data should be considered invalid, prospectively, for purposes of determining allocations. Data remain invalid until the output measurement equipment passes an accuracy test or is replaced with another piece of equipment that passes the accuracy test. The invalid data must be omitted and either zero or an output value that is likely to be lower than a measured value must be reported.

C. Output measurement equipment must be tested for accuracy or recalibrated at least once every two years, in accordance with applicable consensus or NIST traceable standards, unless a standard allows for less frequent calibrations or accuracy tests.

**6. ALTERNATIVE OPERATING SCENARIOS**

The Permittee did not request alternative operating scenarios in its operating permit application.

**7. EMISSIONS TRADING**

(a) Intra-facility emission trading

The facility did not request intra-facility emissions trading in its operating permit application.

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emission trades, provided for in this permit, may be implemented provided the Permittee notifies The United States Environmental Protection Agency (EPA) and the Department at least fifteen (15) days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2 is required to be submitted to the Department pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emission trading

The Permittee did not request inter-facility emissions trading in its operating permit application.

All increases in emissions due to emission trading, must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et seq. (the "Act"), and provided for in this permit.

**8. COMPLIANCE SCHEDULE**

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable requirements that become effective during the permit term.

**GENERAL CONDITIONS FOR OPERATING PERMIT**

**9. FEES**

The permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

**10. COMPLIANCE CERTIFICATION**

All documents submitted to the Department shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Reporting Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via the Department's web site, <http://www.state.ma.us/dep/bwp/daqc/aqforms.htm>.

(a) Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 to the Department and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by the Department to determine the compliance status of the source.

(b) Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 and July 30 to the Department. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;

- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by the Department to determine the compliance status of the source.

## **11. NONCOMPLIANCE**

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act, and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the Department and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00; and civil penalties under M.G.L. c.111, §142A and 142B. This permit does not relieve the permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this permit.

## **12. PERMIT SHIELD**

(a) This facility has a permit shield provided that it operates in compliance with the terms and conditions of this permit. Compliance with the terms and conditions of this permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the permittee's application and as identified in this permit.

Where there is a conflict between the terms and conditions of this permit and any earlier approval or permit, the terms and conditions of this permit control.

(b) The Department has determined that the permittee is not currently subject to the requirements listed in Section 4, Table 7.

(c) Nothing in this permit shall alter or affect the following:

- (i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
- (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or

(iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

**13. ENFORCEMENT**

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by the Department, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**14. PERMIT TERM**

This permit shall expire on the date specified on the cover page of this permit, which shall not be later than the date 5 years after issuance of this permit.

Permit expiration terminates the permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

**15. PERMIT RENEWAL**

Upon the Department's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the Department on the renewal application.

In the event the Department has not taken final action on the operating permit renewal application prior to this permit's expiration date, this permit shall remain in effect until the Department takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

**16. REOPENING FOR CAUSE**

This permit may be modified, revoked, reopened, and reissued, or terminated for cause by the Department and/or EPA. The responsible official of the facility may request that the Department

terminate the facility's operating permit for cause. The Department will reopen and amend this permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the permittee for an operating permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any operating permit condition.

**17. DUTY TO PROVIDE INFORMATION**

Upon the Department's written request, the permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall furnish to the Department copies of records that the permittee is required to retain by this permit.

**18. DUTY TO SUPPLEMENT**

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The permittee shall promptly, on discovery, report to the Department a material error or omission in any records, reports, plans, or other documents previously provided to the Department.

**19. TRANSFER OF OWNERSHIP OR OPERATION**

This permit is not transferable by the permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between current and new permittee, has been submitted to the Department.

**20. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

**21. INSPECTION AND ENTRY**

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized representatives of the Department, and EPA to perform the following:

- (a) enter upon the permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times any substances or parameters for the purpose of assuring compliance with the operating permit or applicable requirements as per 310 CMR 7.00 Appendix C(3)(g)(12).

**22. PERMIT AVAILABILITY**

The permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the permit, including any amendments or attachments thereto, upon request by the Department or EPA.

**23. SEVERABILITY CLAUSE**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

**24. EMERGENCY CONDITIONS**

The permittee shall be shielded from enforcement action brought for noncompliance with technology based<sup>1</sup> emission limitations specified in this permit as a result of an emergency<sup>2</sup>. In order to use emergency as an affirmative defense to an action brought for noncompliance, the permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (a) an emergency occurred and that the permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was at the time being properly operated;

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<sup>1</sup> Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

<sup>2</sup> An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

(c) during the period of the emergency, the permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and

(d) the permittee submitted notice of the emergency to the Department within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response immediate notification to the appropriate parties should be made as required by law.

## **25. PERMIT DEVIATION**

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to section 24 of this permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6. of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to the Department's Regional Bureau of Waste Prevention the following deviations from permit requirements, by telephone or fax, within 4 hours (or as soon as reasonably practical) and within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the permit or approval as surrogate for an emission limit.
- Exceedances of permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via the Department's web site,. <http://www.state.ma.us/dep/bwp/daqc/aqforms.htm>



This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone or fax within 4 hours (or as soon as reasonably practical) and within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations, which do not require 4 hours (or as soon as reasonably practical) and three (3) day notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

## **26. OPERATIONAL FLEXIBILITY**

The permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit and in compliance with all applicable requirements provided the permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

## **27. MODIFICATIONS**

(a) Administrative Amendments - The permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).

(b) Minor Modifications - The permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).

(c) Significant Modifications - The permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).

(d) No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this operating permit. A revision to the permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an operating permit revision under any other applicable requirement.

### **APPEAL CONDITIONS FOR OPERATING PERMIT**

This permit is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C (6), with respect to the Department's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts that are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations. The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to: The Commonwealth of Massachusetts, Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211.

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. The Department may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

## 28. LEGEND OF ABBREVIATED TERMS IN OPERATING PERMIT

< - Less Than	MADEP – Massachusetts Department of Environmental Protection
> - Greater Than	MMBtu – million British Thermal Units
Lb/hr - Pounds Per Hour	MMBtu/hr – Million British Thermal Units Per Hour
10 <sup>6</sup> BTU/hr - 1,000,000 British Thermal Units per Hour	NA – not applicable
AQCR - Air Quality Control Region	NH <sub>3</sub> - Ammonia
ASTM - American Society of Testing Materials	NO. – number
ABC/TBC – Augmented Backside Cooling/ Thermal Barrier Control	NOx – Oxides of Nitrogen
CEM - Continuous Emission Monitor	PB - Lead
CFR- Code of Federal Regulation	PLT ID – Plant Identification
CMR – Code of Massachusetts Regulations	Lb/hr. – pounds per hour
CO – Carbon Monoxide	Lb/MMBtu – pounds per million British Thermal Units
EPA - Environmental Protection Agency	PM – Particulate Matter
EU - Emission Unit	PPM – Parts Per Million
EU# - Emission Unit Number	PPMVD – parts per million by volume, dry measure EU# - at 15% O <sub>2</sub>
FMF FAC. NO. - Facility Master File Number	PS – Pressure Sensitive
FMF RO NO. - Facility Master File Regulated Object Number	PM – Particulate Matter
FT <sup>3</sup> /day - Cubic Feet Per Day	PTE – Potential to Emit
GPH – gallons per hour	RTO – Regenerative Thermal Oxidizer
HAPs – Hazardous Air Pollutants	SO <sub>2</sub> – Sulfur Dioxide
HC – Hydrocarbons	SSEIS – Stationary Source Emission Inventory System
HHV - Higher Heating Value	Ft <sup>3</sup> /yr – cubic feet per year
HP – horse power	TPM – Tons Per Month
ISO - Represent 59°F, 60% Relative Humidity, 29.92 Inches Mercury At Sea Level	TPY – tons per twelve month rolling total
	TSP – Total Suspended Particulate
	USC - United States Code
	VOC – Volatile Organic Compounds

\*Not all abbreviations are present in every Operating Permit